

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

DAVID LUKELA KAWELO, SR.,)	CIVIL NO. 19-00598 DKW-WRP
ET AL.,)	
)	FINDINGS AND
Plaintiff,)	RECOMMENDATION TO
)	DISMISS THIS ACTION
vs.)	WITHOUT PREJUDICE
)	
J.P. MORGAN CHASE BANK, ET)	
AL., ET AL.,)	
)	
Defendants.)	
)	

FINDINGS AND RECOMMENDATION TO
DISMISS THIS ACTION WITHOUT PREJUDICE¹

Plaintiffs filed this action on November 1, 2019. See ECF No. 1. On March 24, 2020, this Court issued a Deficiency Notice and Order Regarding Service of Defendants. See ECF No. 7. In that order, the Court gave notice to Plaintiffs that they must serve the Complaint on Defendants within 30 days and that failure to do so may result in dismissal of this action for failure to prosecute or otherwise follow a court order. See id. (citing Fed. R. Civ. P. 41(b), 4(m); In re Sheehan, 253 F.3d 507, 513 (9th Cir. 2001)).

¹ Within fourteen days after a party is served with the Findings and Recommendation, pursuant to 28 U.S.C. § 636(b)(1), a party may file written objections in the United States District Court. A party must file any objections within the fourteen-day period to preserve appellate review of the Findings and Recommendation.

Plaintiffs did not respond to the Deficiency Notice or file a return of service within the time allowed. Although Plaintiffs have been given more than five months to complete service, Plaintiffs have not effected service of the Complaint or Summons on Defendants as required under Rule 4 of the Federal Rules of Civil Procedure. Accordingly, the Court FINDS AND RECOMMENDS that this case be dismissed without prejudice pursuant to Rule 4(m) of the Federal Rule of Civil Procedure.

IT IS SO FOUND AND RECOMMENDED.

DATED AT HONOLULU, HAWAII, APRIL 29, 2020.



A handwritten signature in black ink, appearing to be "Wes Reber Porter", written over a horizontal line.

Wes Reber Porter
United States Magistrate Judge

**KAWELO, ET AL. v. JP MORGAN CHASE BANK, ET AL.; CIVIL NO. 19-00598
DKW-WRP; FINDINGS AND RECOMMENDATION TO DISMISS THIS
ACTION WITHOUT PREJUDICE**